

REMARKS

Amendments

Amendments to the Claims

Applicant has amended the independent claims to clarify that the virtual electronic device is a virtual representation of a first electronic device, and is configured to emulate operation of one or more features of the first electronic device. No new matter has been added as a result of these amendments as they are supported, *intra alia*, page 59, lines 15-81 and page 60, lines 17-22.

Rejections

Rejections under 35 U.S.C. § 101

Claims 1-8

Claims 1-8 stand rejected under 35 U.S.C. § 101 as being drawn to non-statutory subject matter.

Applicant has amended claim 1 to claim presenting a virtual tutorial to a user by navigating through a first virtual electronic device, and that the virtual tutorial instructs the user how to use a first electronic device that is emulated by the first virtual electronic device. Because instructing a user on the use of an electronic device is a concrete, useful and tangible result of presenting the virtual tutorial, Applicant respectfully submits that claims 1-8 are statutory subject matter, particularly in light of the April 2007 memo clarifying the Interim Guidelines for Examination of Patent Applications for Subject Matter Eligibility.

Accordingly, Applicant respectfully requests the withdrawal of the rejection of the claims under 35 U.S.C. § 101.

Rejections under 35 U.S.C. § 103

Claims 1-38

Claims 1-38 stand rejected under 35 U.S.C. § 103(a) as being obvious over U.S. Patent Publication 2003/0046689 to Gaos in view of U.S. Patent 6,829,779 to Perlman (previously cited). Gaos qualifies as prior art only under 35 U.S.C. § 102(e) because it

was published after Applicant's effective filing date. Applicant does not admit that Gaos is prior art and reserves the right to challenge the reference at a later date.

Gaos discloses a set top box that provides a virtual reality environment to guide a user through products and services. Perlman discloses displaying text and/or graphical instructions to instruct a user how to connect two electronics devices.

Applicant claims a first virtual electronic device that is a virtual representation of a first electronic device and further claims that the first virtual electronic device is configured to emulate operation of one or more features of the first electronic device. The Examiner is apparently equating Gaos' set top box with Applicant's claimed first virtual electronic device because the set top box provides a virtual reality environment to a user. However, Gaos teaches that the set top box is a hardware device, and does not teach that the set top box itself is a virtual representation of an electronic device, or that the set top box displays a virtual representation of itself. Thus, Gaos cannot be properly interpreted as disclosing Applicant's claimed first virtual electronic device that is a virtual representation of a first electronic device. Because Gaos does not disclose the claimed first virtual electronic device, Gaos cannot be properly interpreted as teaching or suggesting navigation through a first virtual electronic device as claimed by Applicant.

Furthermore, the Examiner has previously agreed with Applicant that Perlman does not disclose Appellant's claimed first virtual electronic device that emulates operation of one or more features of an first electronic device (*see* Office Action mailed June 19, 2006). Because Perlman does not disclose the claimed first virtual electronic device, Perlman cannot be properly interpreted as teaching or suggesting navigation through a first virtual electronic device as claimed by Applicant. Therefore, the combination of Perlman and Gaos cannot be properly interpreted as disclosing Appellant's invention as claimed in claims 1-38.

Moreover, Applicant respectfully submits the Examiner has apparently misinterpreted Gaos because the Examiner states that Gaos' invention would be improved by using Perlman's invention to show a user how to connect the set top box to a television. However, Gaos' invention is not directed toward instructing a user how to connect a set top box and a television, and thus Gaos' invention is not improved by the

addition of Perlman. Accordingly, one of skill in the art would have no reason to combine Gaos and Perlman.

Therefore, the combination cannot render obvious Applicant's invention as claimed in claims 1-38, and Applicant respectfully requests the withdrawal of the rejection of the claims under 35 U.S.C. § 103(a) over the combination.

SUMMARY

Claims 1-38 are currently pending. In view of the foregoing amendments and remarks, Applicant respectfully submits that the pending claims are in condition for allowance. Applicant respectfully requests reconsideration of the application and allowance of the pending claims.

If the Examiner determines the prompt allowance of these claims could be facilitated by a telephone conference, the Examiner is invited to contact Sue Holloway at (408) 720-8300 x3476.

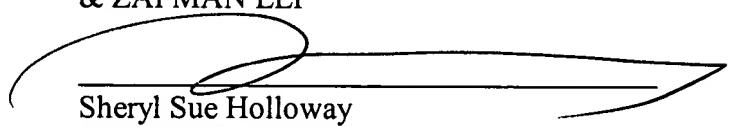
Deposit Account Authorization

Authorization is hereby given to charge our Deposit Account No. 02-2666 for any charges that may be due. Furthermore, if an extension is required, then Applicant hereby requests such extension.

Respectfully submitted,

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